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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,983	08/31/2000	David A. Gasper	9040.00	3081
26889	7590	06/15/2004	EXAMINER	
MICHAEL CHAN NCR CORPORATION 1700 SOUTH PATTERSON BLVD DAYTON, OH 45479-0001			POINVIL, FRANTZY	
			ART UNIT	PAPER NUMBER
			3628	

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/651,983

Applicant(s)

GASPER ET AL.

Examiner

Frantzy Poinvil

Art Unit

3628

mw

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-3 remain rejected under 35 USC 103(a) as being unpatentable over Hanna et al. (US Patent No. 6,230,928) as stated in the prior Office action.
3. Claim 4 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Hana et al (US Patent No. 6,230,928) as applied to claim 1 above in view of Ross (US Patent NO. 5,945,602).
4. Claim 5 remains rejected under 35 USC 103(a) as being unpatentable over Ross (US Patent No. 5,945,602) in view of Hanna et al (US Patent No. 6,230,928).
5. Claims remain 6-9 remain rejected under 35 USC 103(a) as being unpatentable over Hanna et al (US Patent No. 6,230,928) in view of Ross (US Patent No. 5,945,602).

6. RESPONSE TO THE ARGUMENTS:

Applicant's representative argues that the Examiner has not established a prima facie because Hanna's reconciliation report is given to a depositor making a bag of deposit and there is no replenishment signal in Hanna.

In response, Hanna discloses determining a low stocked ATM's which require replenishment of currency, having sensors to cause replenishment of currency in low-stocked ATM's to occur and receiving replenishment signals from the replenished ATM's. see column 30, lines 14-39. Hanna specifically states (column 30, lines 19-28) the dispense of, coin rolls or currency, may be sent to servers associated with persons responsible for tracking the levels of various bills within the apparatus. Such messages may be received and appropriate calculations made as to when replenishment of such items may be required in various machines. Such information may be helpful, for example, in determining the amount and types of rolled coin to wrap, order or otherwise procure from another source". Hanna further states on column 13, lines 38-51 "a need to replenish a note supply may be communicated selectively through the network 16 to a computer 128. Computer 128 may be associated with an entity responsible for replenishing the supply of notes in the dispensers within the machine. When the terminal processor receives signals indicative of a need to replenish coin rolls, messages may be routed through the network 116 to one or more computers schematically indicated 130. Computer 130 may be associated with entities responsible for replenishing rolled coin within the apparatus 10. If the depository 32 or bag depository 62 needs entities to be emptied, appropriate messages may be provided to computers 132 associated with persons responsible for removing items from

depositories". Thus, from these passages it is clearly seen that a replenishment signal exists as such is being sent from the ATM to a remote server or to a servicer.

What the Examiner had stated as not being specifically mentioned in Hanna is the preparing of a "one or more reports concerning the ATM's replenished". However, Hanna clearly discloses noting all complete transactions occurring at an ATM. Hanna specifically recites "Such a report may show selected or all details concerning deposit transactions or other types of transactions that have been conducted." Note column 36, lines 37-40. the reconciliation report illustrated in figure 57 of Hanna is merely an exemplary reconciliation report of a deposit made by a customer. Since reports of all types of transactions are made and Hanna clearly suggests on column 36, lines 37-40 that records or reports of all types of transactions are retrievable, it would have been obvious to one of ordinary skill in the art at the time of the invention to note that a replenishment of the ATMs is a type of a transaction and records or reports of such would have been submitted to the appropriate servers or banks for review purposes.

Applicant's argument that the reconciliation report of Hanna is not the same as claim 1(d) and does not concern with a replenishment signal is correct as the Examiner has never indicated that the reconciliation report is equivalent to that being claimed in applicant's claim 1(d). The reconciliation report noted in figure 57 is one of a plurality types of report that can be printed in relationship to a given transaction type at the ATM. Applicant should note that a servicer such as a replenisher receiving the replenishment signal and after replenishing the ATM, the servicer may be opted to print a deposit summary report. All types of transaction reports occurred at the ATM are also accessible by a remote computer. See column 36 of Hanna.

Applicant's representative argues that the Examiner has indicated that the motivation to modify Hanna is for recording the time, the deposited replenishment amount is not correct because Hanna has done so in their reconciliation report noted in figures 57-59.

In response, the reconciliation report noted in figures 57-59 does not relate to a report noting details of a replenishment. The reconciliation report of figures 57-59 is an exemplary report of many possible types of reports that can be printed based on the need of a specific report being needed or requested. Many types of transactions occur in the system of Hanna and a record of these transactions is accessible as a report. See column 36 of Hanna. If a replenishment report of a servicer or a replenisher is needed, then it would have been obvious to one of ordinary skill in the art to provide such for review purposes. The requester would have desired to note the ATM ID, the identification of the servicer or operator performing the replenishment and other associated functions for inventory and funds tracking purposes.

As per claim 3, the replenishment signals indicate contact by a party other than a customer in the normal course of business. See column 35, line 55 to column 36, line 10; column 13, lines 35-52.

As per claim 4, applicant argues that the combination of Hanna and Ross does not teach an "entry into an ATM by a burglar causes a replenishment signal to occur".

In response, Ross discloses "a further AE sensor could be used for detecting attempted forced entries by criminals into the safe 17 in which the dispenser unit 16 is mounted. In this arrangement, the further AE sensor is physically attached to the wall of the safe 17, and a digital representation of the normal acoustic output of this AE sensor is stored in an associated location in the data storage means 50. The acoustic output of the further AE sensor is continually monitored at regular intervals and the digital representation of this output is compared with the stored digital representation of the normal acoustic output for this sensor. If a match is not found as a result of such comparison then a warning signal is sent to the remote service station 62, so that the police can be alerted". Ross further teaches monitoring the funds in a cassette and determining or monitoring its level. See column 7, line 49 to column 8, line 4. Thus, Ross teaches monitoring the level of a fund holding cassette and detecting a forced entry of an ATM. It would have been obvious to one of ordinary skill in the art at the time the invention was made to note that a forced entry by a burglar would have resulted in the ATM being low in funds. Generating a low stocked signal for replenishment is taught by both Ross (column 7, line 65 to column 8, line 4) and Hanna as noted above. It would have been obvious to one of ordinary skill in the art at the time of the invention to note that a forced entry in an ATM described in the combination of Hanna and Ross would have caused a replenishment signal to be effected because of funds being taken away. The motivation would have been to alert the police and to alert bank personnel of an unusual event that would provide suspicions because of an unusual need for replenishment.

As per arguments related to claim 5, the Examiner notes that the system of Ross includes a monitoring system for monitoring the level of "monies" in a cassette. The police are alerted in the event of an unusual low-stock such as during a forced entry by a burglar. See column 8, lines 14-26 of Ross. Both Hanna et al and Ross teach monitoring the level of available funds and calls for replenishment. See column 13, lines 35-51 of Hanna et al. and column 7, line 63 to column 8, line 3 of Ross. It would have been obvious to note that the ATM may not be instantly replenished and the ATM system as claimed does not replenish itself. Thus a replenishment would have been done during a time period. Applicant's claim 1 recites the steps are being performed such for a group of ATMs during a period of time. The Examiner notes that a group or a number of ATMs usually belong to a particular financial institution. Thus, scheduling a replenishment of corresponding ATMs would have been obvious to do in the combination of Hanna et al and Ross because if there are a plurality of ATMs in need of a replenishment scheduling for a best route or for an ATM with a higher priority because of more frequent visits by customers.

As per claims 6 and 8, the combination of Hanna et al and Ross includes a plurality of ATMS wherein packets will be prepared for the ATMs as funds from the one or more ATMs are being used. If a servicer is to service or to replenish the ATMs then using a courier would have been obvious to one of ordinary skill in the art. Hanna discloses receiving signals from an ATM indicating interaction with the ATM by a party other than a customer because a servicer is replenishing the ATM. Note column 30, lines 31-35 and column 13, lines 35-41 of Hanna et al. Ascertaining whether the signals were issued by an ATM within the subset would have been

obvious to one of ordinary skill in the art when comparing the received ATM id with the identification of all ATM's stored at the remote servers.

Recording the times of receipt of the signals would have been obvious to one of ordinary skill in the art to do in the system of Hanna et al since the signal is generated automatically in response to sensed data. Recoding the times of receipt of the signals would have also been obvious to one of ordinary skill in the art at the time the invention was made in order to not the elapsed period without replenishment or usage of the associated ATM. Recording the identities of the ATMs issuing the respective signals would have been done automatically as noted above. Further reasons to record the identity of the ATM issuing the respective signals would have been to acknowledge which ATMs should be replenished.

Ascertaining whether the signals were issued by an ATM within the subset and if not contacting a law enforcement is not explicitly taught by Hanna et al. Ross discloses such teaching. It would have been obvious to one of ordinary skill in the art to modify Hanna et al to include the feature of contacting a law enforcement agency as taught by Ross in order to deter tampering with the ATM system. See column 8, lines 14-26 of Ross.

Adjusting the estimate of the currency stored within that ATM in the combined teachings of Hanna et al and Ross would have been obvious to one of ordinary skill in the art to do in most ATM systems in order to confirm the amount just replenished for inventory and tracking purposes.

As per claim 7, in the combined system of Hanna et al and Ross, a replenishment signal is automatically transmitted to a remote site. Thus, no one directly reports the replenishment supply of an ATM.

As per claim 9, in the combined system of Hanna et al. and Ross, no communications, made by parties performing the replenishment are utilized in preparing the report.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 3628

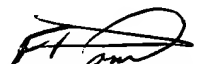
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (703) 305-9779. The examiner can normally be reached on Monday-Thursday 7:00AM-5:30PM.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9326 for Before Final actions and (703) (872-9327).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

FP

June 10, 2004


FRANTZY POINVIL
PRIMARY EXAMINER
AU 3628